

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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STEPHEN FLANAGAN as a Trustee of the  
General Building Laborers' Local 66  
Pension Fund, et al.,

Plaintiffs,

-against-

BRAGA CONTRACTING CORP. and  
Victor Costa,

ORDER ADOPTING REPORT  
AND RECOMMENDATION  
07-CV-1879 (JS)(WDW)

Defendants.

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APPEARANCES:

For Plaintiff: Alicia M. Menechino, Esq.  
Law Offices of William T. LaVelle, P.C.  
The LaVelle Building  
57 East Main Street  
Patchogue, NY 11772

For Defendants: No Appearance

SEYBERT, District Judge:

Magistrate Judge William D. Wall issued a Report and Recommendation ("R&R") on February 23, 2009. As part of the R&R, Judge Wall provided that any objections were to be filed with the Clerk of the Court within ten days of service of the R&R. The time for filing objections has expired, and no party has objected. Accordingly, all objections are hereby deemed to have been waived.

After careful review, the Court ADOPTS the R&R in its entirety. The Clerk of the Court is directed to enter a judgment of default in Plaintiffs' favor against Defendants and mark this matter CLOSED. Defendants are ORDERED to pay \$9,839.31 in unpaid contributions, interest on the unpaid contributions, liquidated damages in an amount equal to such interest, and \$350.00 in costs.

SO ORDERED.

/s/ JOANNA SEYBERT  
Joanna Seybert, U.S.D.J.

Dated: August 7, 2009  
Central Islip, New York